

Libby Community Advisory Group

Meeting Summary

January 24, 2002

Introductions

Gerald Mueller and members of the Libby Community Advisory Group (CAG) introduced themselves. A list of the members and guests in attendance is attached below as Appendix 1.

Agenda

Mr. Mueller reviewed an agenda for this meeting including the following topics:

- Conduct of CAG Meetings
- EPA Report
- ATSDR Report
- State Report
 - DPPHS
 - DOT
- CAG Member Comment
- Public Comment

Conduct of GAG Meetings

Mr. Mueller reported on comments he had received about the conduct of the last CAG meeting. At the January 10, 2002 meeting, a presentation by a CAG member and CAG member questions and comments preceded the agency reports. Mr. Mueller was told that some people attending the meeting prefer that agency reports be first on the agenda so that anyone wishing to do so can leave after them. Also, some people stated that individual CAG members spoke too long during the last meeting. Mr. Mueller asked for direction about the structure of the meetings.

After a discussion, the CAG agreed that agency reports should be first on the agenda, followed by CAG member presentations and comments and public comments.

EPA Report

Duc Nguyen, Jim Christiansen, and Wendy Thomi reported on behalf of EPA on the following topics.
Vermiculite Insulation Action Memo

Mr. Nguyen stated that Paul Peronard is not attending this meeting because he remains in Denver to work on the action memorandum regarding the removal of vermiculite insulation from Libby homes and businesses. This memo should be completed and sent to EPA headquarters in Washington DC by January 31. Headquarters is expected to complete its review of the memo by February 7. EPA will then coordinate with ATSDR concerning a declaration of a health emergency. A final decision on removal is expected by the end of February. If the decision is removal, work should begin by spring.

Residential Sampling

Mr. Nguyen reported that soil samples have been taken at 400 residences and interior dust samples from 250 residences. Because some had both soil and interior sampling, the total number of homes sampled is 450. EPA's first priority for additional sampling will be homes likely to have elevated asbestos levels which are those located near the export plant and the railroad.

National Priorities Listing

Jim Christiansen, Remedial Project Manager, reported that on January 14, 2002, EPA received Governor Martz' letter requesting that her "silver bullet" option be used to designate Libby as a site on the Superfund National Priorities List (NPL). EPA intends honor the Governor's request

and will propose the designation in the Federal Register in early February. The Federal Register notice will then trigger a 60 day comment period. Mr. Christiansen stated that any delay in the listing process will not slow down the cleanup work which is continuing in Libby.

Technical Advisory Grants

Mr. Christiansen corrected his statement at the January 10, 2002 meeting concerning the availability of technical assistance grants. The grants become available when a site is proposed for listing in the Federal Register rather than after the listing process is completed. Thus Libby will become eligible for this grant in February. Technical assistance grants are made to one organization per community. The grants are normally capped at \$50,000, but for larger, complex sites such as Libby, larger awards can be made. The grants are renewable. The purpose of the grants is to provide technical assistance to help communities scrutinize EPA's work. These grants may not be used to gather new data. A copy of the guidance for technical assistance grants is available at the EPA Information Center in downtown Libby.

CAG Member Question - Are individuals or organizations eligible for these grants?

Answer - Organizations designated by the Internal Revenue Service as non-profit are eligible. Individuals are not. If EPA receives competing applications, organizations that represent the community as a whole as opposed to a special interest will be favored.

Environmental Justice Grants

Mr. Christiansen stated that at the last CAG meeting, the possibility was discussed of using a technical assistance grant to establish a data base of children who attended Plummer Elementary School since 1980, the year that the ice skating rink was built using asbestos contaminated material. Because such a data base would require gathering new data, the technical assistance grant could not be funding source for it. A different type of grant, the Environmental Justice Grant (EJG), could provide funds for this purpose. These grants may be awarded to a non-profit organizations or local government agency. EJG's are limited to an award of up to \$20,000. They are not renewable. They are also available for communities in which cleanups are occurring under the Superfund law regardless of the NPL status, so Libby is eligible for an EJG now. However, the deadline for applications for this year for this grant is February 22.

CAG Member Question - The school district is the best organization to develop the data base. Would it be eligible for an Environmental Justice Grant?

Answer - We think so, but we will confirm. We have people in Denver who have experience and expertise with all of EPA's education and remediation grants. Would the CAG support bringing them here to advise organizations interested in applying for grants?

CAG Member Comment - Several people would be interested in a grant writing seminar held by the EPA grant experts.

Response - We would appreciate suggestions for dates and times for such a seminar. It would also be useful for people to familiarize themselves with the grant information available at the EPA Information Center before any seminar.

Cag Member Comment - The Lincoln County Asbestos Victims Relief Organization is a 501 (c)(3) non-profit and could apply for an Environmental Justice Grant by the February 22 deadline.

CAG Member Question - Could the medical clinic apply?

Answer - Yes, if it is a non-profit organization.

Remediation Program Residential and Business Cleanups

Mr. Christiansen stated that he is considering how to go about the systematic cleanup of Libby residences and businesses once the NPL designation is final. Because over a thousand houses and businesses may be involved, EPA needs to develop a quick but structured process to screen buildings to identify those that need cleanup. Specifically, EPA needs to identify those houses and businesses with contamination that must be addressed as well as those that can be given an immediate clean bill of health. EPA will also need a risk assessment for buildings in the middle, i.e. those that either are not clearly clean or that must be cleaned.

Audience Member Question - Can people refuse to have EPA cleanup their property?

Answer - Yes. Sampling and cleanups would be voluntary.

Audience Member Comment - Cleanups will be a good idea so that home owners can get an EPA "Seal of Approval" in case they want to sell their property.

Response - Normally at the beginning of a NPL remediation cleanup process, about 20-30% of homeowners are skeptical. As the cleanup proceeds and people see that the cleanups do not damage their property, the percentage of people who opt to participate increases.

January 31, 2002 W.R. Grace-EPA Meeting

Mr. Christiansen said that the meeting mentioned by Paul Peronard between W.R. Grace and EPA headquarters to discuss the insulation removal in Libby is still scheduled for January 31, 2002.

Public Meeting

Mr. Christiansen asked for advice about holding a public meeting that might address several topics including how the remediation process at an NPL site is different than the emergency cleanup that has been occurring in Libby, the vermiculite insulation removal decision, and the experience of other communities with NPL residential and business cleanups.

CAG Member Question - The twice a month CAG meetings are public, why is another meeting necessary?

Answer - A public meeting similar to past meetings would allow different people to attend.

Audience Member Comment - Some people are intimidated by CAG meetings. Others cannot attend evening meetings.

CAG Member Comment - CAG members are also interested in the topics mentioned by Mr. Christiansen. We are representative of a wide range of community interests. Why not hold a public meeting in the afternoon that would coincide with an evening CAG meeting?

CAG Member Comment - Tommy Thompson, Secretary of Health and Human Services, and our U.S. Senators should be invited to the meeting.

CAG Member Comment - A public meeting could also serve as a kick off to get people to sign up

for residential cleanups.

School Fact Sheets

Wendy Thomi announced the availability of a fact sheet regarding past asbestos exposures at schools that was developed with assistance from Cyrus Lee. The fact sheets will be mailed to the Libby mailing list.

Updated List of CAG Members

Ms. Thomi passed out a revised list of CAG members and asked that it be reviewed for needed changes. She asked for recommendations about a representative for senior citizens because Wilbur Wilson has moved from Libby.

Environmental Justice Information Sheet

Mr. Thomi made available an information sheet explaining some basics about Environmental Justice..

Superfund Job Training

Ms. Thomi stated that she is compiling information about funding and training for job opportunities related to Superfund cleanups.

ATSDR Report

Dan Strausbaugh reported on behalf of ATSDR. Mailing of results of the second round of medical screening has been completed. Mailing of the results of the CT study results will be completed by the end of the month. If people have questions about their result letters, they can call Mr. Strausbaugh's assistant, Sharon, at the EPA/ATSDR Information Center at 293-2728.

CAG Member Question - 128 out of 330 participants in the CT scan study received urgent referrals for medical treatment. Does this indicate a need to expand the use of CT scans?

Answer- ATSDR will evaluate the results of the study and draw conclusions about the need for addition CT scans. Some of the 128 referrals were made because of pre-existing, non-asbestos related conditions.

CAG Member Question - Has OSHA or another federal agency issued a nation-wide alert to carpenters and other workers who may come in contact with asbestos contaminated vermiculite insulation?

Answer - I am not aware of any program for such notification. EPA's phase II risk analysis is looking at exposure to trades people.

CAG Member Comment - We have previously asked Assistant Surgeon General Dr. Hugh Sloan for such an alert but apparently nothing has happened.

Audience Member Comment - Under state law, you can bag up vermiculite insulation in your attic, but you can't take the bags to the dump. The state law is not being enforced because the state only has two people to do so for the entire state.

State Report

Montana Department of Health and Human Services

Michelle Thibodeau, Chief of the Disability Determination Services (DDS) Bureau of the Montana Department of Health and Human Services, reported on the determination of eligibility for federal Social Security disability benefits from two programs, Social Security Disability Insurance (SSDI) and Supplemental Security Income (SSI). Applications for benefits must first be filed with a Social Security Office, and the nearest Social Security Office to Libby is in Kalispell. Disability Determination Services makes the medical eligibility decision for Montana residents. Congress in the 1950s defined Social Security disability as a condition existing for twelve continuous months that would prevent someone from working. Congress intended at that time that the condition must result either in death or total disability for life. Social Security disability must, therefore, meet very strict rules and regulations. The determination of Social Security disability is based on remaining functions and abilities to do some type of work. Even if someone is unable to work at their most recent job in their own community, they may be able to find work elsewhere. Thus people are expected to move if they are capable of performing some type of work.. Disability decision makers base decisions on many types of objective records, reports and other documentation. The information must be recent - within the past six months - and must be specific. DDS asks for information about the person's abilities from doctors, clinics, therapists, caseworkers, employers, family, friends, etc. When DDS cannot establish a person's abilities or function they must send the person to a doctor for an exam. Unfortunately, at this time no doctors in Libby perform disability exams. The doctors nearest to Libby performing the exams practice in Kalispell. DDS is seeking doctors in Libby who are willing to perform the physical or mental exams. Ms. Thibodeau stated that her bureau is presently processing 50 disability claims from the Libby community and ten allege lung related problems as the primary health condition. Anyone with questions about the disability process are invited to call Ms. Thibodeau or the DDS.

CAG Member Comment - This information is discouraging, but we appreciate your visit to Libby so that you can better understand what we are dealing with.

Response - If you are having problems, you can call my direct line, 444-3838, or the toll free 1-800-545-3054.

CAG Member Comment - When you call the Kalispell Social Security Office telephone number for an appointment, you don't get a person, you get an automated response that asks either that you punch in your case number or that you call another 800 telephone number. When you call the other number you are referred back to the Kalispell number. Thus to get help, if you don't already have a case number, you are forced to drive 89 miles to Kalispell over roads that are currently under construction to try to get a case number just so you can talk with a person.

Response by Laura Sedler - Try using 124 as your case number.

Audience Member Comment - If you are having problems with a Social Security disability determination or have had your application denied, you can call the Lincoln County Indigent Services Program.

Montana Department of Transportation

Janis Winston, Supervisor of the Transit Section of the Transportation Planning Division of the Montana Department of Transportation (MDT), explained that her Section administers and coordinates state and federal grants for transportation services. She reported on three grant programs. The first is a capital assistance grant that provides funds for the purchase of vehicles to provide transportation for elderly and disabled people. The funding has a 20% local match requirement. In Libby, two organizations, Achievements and the Lincoln County Senior Center have received grants for vehicles. The second grant provides funds for operating assistance for organizations that provide transportation to the rural general public. These funds have a 50% local match requirement. Kalispell is the nearest location to Libby with transportation providers that receive funds from this grant. Only one provider in each service area can receive a grant, and they must offer transportation services 40 hours per week, advertise the availability of their

service, and also serve the elderly and disabled people. The third grant is State Planning and Research Grant that funds technical research and transportation planning. Ms. Winston also stated that the last legislature established a new state transit program funded by a 25¢ fee on vehicle registrations, but grants under this program are not yet available. Guidelines for them are being developed.

Audience Member Question - Can an organization providing transportation services supported by a MDT grant charge a fee?

Answer - Under the operating assistance grant which funds transportation for the rural general public, a fee can be charged. For the capital assistance program which funds vehicles for transporting the elderly and disabled, no fee can be charged, but donations can be solicited.

CAG Member Question - Can other potential users partner with Achievement and the Senior Center?

Answer - The funded organizations are encouraged to coordinate with other community needs after meeting the needs of their clients. Thus if space is available, the two Libby organizations can provide rides to others.

CAG Member Comments and Questions

Gayla Benefield reported that she is working with the local cable television provider and the school district to arrange for televising CAG meetings. Kirby Maki stated that high school students will be available to both televise the meetings and conduct follow-up interviews for class credit.

CAG Member Question - What has happened with the Donovan group's work for the County?

Answer by Rita Windom - Discussions are continuing.

CAG Member Question - Has anyone seen television public service announcements regarding second hand smoke?

Answer - No one had seen them.

CAG Member Question - The summary of the January 10, 2002 CAG meeting quoted Dan Strausbaugh as recommending that the issue of the Plummer School data base and other priority projects identified by the community should be brought to the attention of Dr. Spence, Chief Medical Officer for the State of Montana. What did this mean?

Answer by Dan Strausbaugh - I recommended that the CAG develop and prioritize a list of unresolved long-term health concerns to communicate to Dr. Spence and other visiting dignitaries from State and federal programs.

Public Comment

Les Skramstad reported on his and his wife Norita's trip on Wednesday, January 23, 2002 to Helena at the invitation of Governor Martz to listen to the Governor's State of the State Address. Mr. Skramstad stated that he was concerned that their appearance at the speech not be used for political gain, but that this did not prove to be the case. On Wednesday afternoon, he and Norita talked with Governor Martz' natural resource policy advisor, Todd O'Hare, for two hours about asbestos and timber issues. Mr. Skramstad said that he asked why the Governor took so long to decide to use the silver bullet and that he was told that W.R. Grace communicates regularly with the Governor's Office, and that Governor Martz insisted on a commitment from EPA that the

federal team that has been working in Libby would not change if an NPL designation occurred. Mr. Skramstad said that he found Governor Martz to be direct and honest, and he believed his trip was worthwhile. He also said that people wishing to speak with the Governor should call her.

Next Meeting

The next two meetings are scheduled for Thursday, February 14 and February 28, 2002 from 7:00 to 9:00 p.m. in the Ponderosa Room of Libby City Hall. Dr. Spence, who had planned to attend this meeting but was unable to do so because of he had to make a presentation to the state legislature in Helena at 3:15 pm today, plans to attend the February 28 meeting.

Appendix 1 CAG Member & Guest Attendance List January 24, 2002

Members	Group/Organization Represented
Norita Skramstad	Asbestos Victim
Robert H. Foote	Libby Ministerial Association
Gayla Benefield	LCAVRO
Leroy Thom	Former W.R. Grace employee
Dan Strausbaugh	ATSDR
Duc Nguyen	EPA
Jim Christiansen	EPA
Wendy Thomi	EPA Community Involvement
David Latham	<i>The Montanian Newspaper</i>
George Bauer	City of Libby
Bob Dedrick	Asbestos Victim
Cyrus Lee	Kootenai Valley Headstart
Dr. Brad Black	Lincoln County Health Officer/CARD
Keary Beasley	St. John's Lutheran Hospital
George Keck	Lincoln County Community Health Center (LCCHC)
Sandy Wagner	LCCHC
Rick Palagi	St. John's Lutheran Hospital
Clinton Maynard	Area Asbestos Research Group
Ron Anderson	Lincoln County
K.W. Maki	Libby School District #4

Note: The following appendix is the letter referenced as Appendix 3 to the January 10, 2002 meeting summary.

Appendix 2

COMMUNITY ADVISORY GROUP

501 Mineral Avenue
Libby, MT 59923

Phone 406-293-6194
Fax 406-293-5668

January 23, 2002

Marianne Horinko (5101)

US EPA Headquarters
Ariel Rios Building
1200 Pennsylvania Avenue NW
Washington DC 20460

Re: Libby's Home Insulation Issues

Dear Ms. Horinko:

Over the course of the last several months your agency has received several reports in regards to the vermiculite home insulation issues in Libby, Montana, a small town nestled in the mountains of northwestern Montana whose asbestos exposure profile is most unique when compared to the rest of the nation. In fact, Christine Todd Whitman personally visited our community last September to see first hand the impact that tremolite asbestos both inside and outside the residential setting has had on our community and its citizens. At that time she made a firm commitment to us that the home insulation issue would be thoroughly addressed. The memorandums from Dr. Chris Weiss, Senior Toxicologist/Science Support Coordinator dated May 10, 2000, July 9, 2001 and December 20, 2001 substantiate earlier recorded findings that the vermiculite home insulation must be removed at the earliest possible date to reduce any further health risk to the homeowner and his or her family; to any contractor who might engage in any sort of repair and/or remodel project within that structure; to the health and well being of any future owner of said property.

We realize that this will be a large and costly task but it must be done. Our community and its viability cannot be held "hostage" by this unfortunate chain of events. The sooner the problem is addressed; the sooner Libby receives a "clean bill of health".

It appears that WR Grace officials will attempt to curtail this remediation action. Even as this corporate giant hides behind the veil of bankruptcy, they refuse to appropriately address their responsibility to Libby and its citizens. They must be ordered to deal with the consequences of their reckless actions.

Scientific evidence indicates that the home insulation in over 800 Libby residences is harmful. The recent ATSDR screenings indicate that we have hundreds of men and women already diagnosed with asbestos related disease. We have three generations of youngsters deemed to be at substantial risk due to their early exposure patterns. Some two hundred of our family and friends have died from their unknowing exposure to asbestos. What more evidence does one need to determine that removal of home insulation is needed?

To move forward we must take the proven course of action for Libby and its citizens not what is best for the WR Grace balance sheet. We hope your agency will address this issue expeditiously and in the best interest of the Libby community.

Sincerely

Community Advisory Group